IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Bail Appl..No. 7800 of 2007()

CRIME NO. 490/07 OF PAVARATTY POLICE STATION

PETITIONER:

BABU, AGED 38 YEARS,
S/O. CHANGAN, "PATTATH HOUSE", OORAKAM POST,
PADIYARKULANGARA, THRISSUR.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7800 of 2007

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Dated this the 19th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations in a crime registered under Sections 376 and 420 I.P.C. The crux of the allegations is that the victim and the petitioner eloped. There evidently was an understanding/promise that they shall get married. They lived as husband and wife for a period of two months. Later, the petitioner allegedly showed reluctance to marry the alleged victim. She thereupon filed the complaint alleging the offence punishable under Sections 376 and 420 I.P.C. The alleged incident took place in July, 2007. The petitioner was arrested on 19.11.2007 and he continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner, who has remained in custody for more than one month, can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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